

**RULES  
OF THE  
TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT**

**CHAPTER 0800-8-1  
CHARGES FOR COPIES OF PUBLIC RECORDS**

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**1340-08-01-.01 PURPOSE AND SCOPE.**

- (1) The purpose of this chapter is to implement provisions contained in the amendments to Tennessee Code Annotated § 10-7-503 establishing a schedule which a records custodian may use as a guideline to charge a citizen requesting copies of public records pursuant to the Tennessee Public Records Act, Tennessee Code Annotated §§ 10-7-501 et seq.
- (2) This chapter applies to charges for public records released by all agencies within the Department of Labor and Workforce Development except for records of the Division of Employment Security as described in Tennessee Code Annotated § 50-7-701(d).

**Authority:** 2008 Tennessee Public Acts Chapter 1179, T.C.A. § 4-3-1411, T.C.A. § 10-7-506 and T.C.A. § 50-7-701. **Administrative History:** Public necessity rule filed November 12, 2008; effective through April 26, 2009.

**1340-08-01-.02 DEFINITIONS.** As used in this chapter unless the context clearly otherwise requires:

- (1) "Commissioner" means the Commissioner of Labor and Workforce Development.
- (2) "OORC" means the Office of Open Records Counsel.
- (3) "Public Record" means all documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, or other material, regardless of physical form or characteristics made or received pursuant to law or ordinance or in connection with the transaction of official business by this agency.
- (4) "Records Custodian" means the individual(s) responsible for the production and release of public records within each operating section of the Department.

**Authority:** T.C.A. §§ 2008 Tennessee Public Acts chapter 1179, T.C.A. § 10-7-506 and T.C.A. § 4-3-1411. **Administrative History:** Public necessity rule filed November 12, 2008; effective through April 26, 2009.

**1340-08-01-.03 CHARGING FOR COPIES OF PUBLIC RECORDS.**

- (1) Charges for copies of public records released by the Department of Labor and Workforce Development under the authority of the Commissioner will be assessed in accordance with the current OORC Schedule of Reasonable Charges for Public Records or in accordance with the provisions contained in Title 20 Code of Federal Regulations, part 603.8(d) for copies of public records released by the Division of Employment Security.
- (2) Any charges incurred in the production of copies not specifically listed or in excess of the amounts specified in the Schedule of Reasonable Charges must be documented by the Records Custodian to justify the extra charge(s).

(Rule 0800-8-1-.03, continued)

- (3) Charges may be reduced or waived at the discretion of the Commissioner. Appropriate documentation must be submitted by the Records Custodian when a reduction or waiver of the charges is requested.
- (4) Delivery and/or shipping costs incurred may be included in the total amount charged for the records release if appropriate.
- (5) Payment must be made in advance in the form of a check or money order made payable to the "Treasurer, State of Tennessee".

**Authority:** 2008 Tennessee Public Acts chapter 1179, T.C.A. § 4-3-1411, T.C.A. § 10-7-506 and T.C.A. § 50-7-701. **Administrative History:** Public necessity rule filed November 12, 2008; effective through April 26, 2009.